

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA, Plaintiff, vs. DESHAUN HOLMES, Defendant.	Cr. No. 3:23-mj-391 REQUEST FOR NOTICE PURSUANT TO FED. R. EVID. 404(b), 609(b), and 807(b)
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Defendant above-named, Deshaun Holmes, by and through his undersigned attorney, Assistant Federal Public Defender Rhiannon Gorham, requests that the U.S. Attorney provide the undersigned with the following:

1. Notice of the general nature of any and all evidence which the United States intends to offer at trial, pursuant to the provisions of Fed. R. Evid. 404(b), sufficiently in advance of trial so Defendant is afforded a fair opportunity to contest the use of the evidence;
2. Notice of any conviction or convictions with respect to which a period of more than 10 years has elapsed since the date of the conviction, pursuant to the provisions of Fed. R. Evid. 609(b), which the United States intends to offer at trial for the purpose of attacking the credibility of Defendant or any witness, sufficiently in advance of trial so Defendant is afforded a fair opportunity to contest the use of the evidence; and

3. Notice of any evidence of material which the United States intends to offer at trial under the residual hearsay exception provisions of Fed. R. Evid. 807 sufficiently in advance of trial so Defendant is afforded a fair opportunity to contest the use of the evidence.

Defendant requests that this information be provided no later than the deadline set by the Court for the disclosure of discovery by the government or, if no order setting a deadline for the government's disclosure of discovery is entered, no later than 15 days before trial.

Dated this 21st day of July, 2023.

Respectfully submitted,

JASON J. TUPMAN
Federal Public Defender
By:

/s/ Rhiannon Gorham
Rhiannon Gorham
Assistant Federal Public Defender
Attorney for Defendant
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